

SEP 12 2011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: ISHIDOSHIRO, TAKASHI

Attorney Docket No.: MES1P093

Patent No.: 7,822,441

Examiner: Khan, Mehmood B.

Issued: October 26, 2010

Art Unit. 2617

Application No.: 10/550,300

Confirmation No.: 1897

Filed: September 20, 2005

Title: ACCESS POINT

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to fax number (571) 273-8300 to the U.S. Patent and Trademark Office on September 12, 2011.

Signed: 

Janice Tisdale

**NOTIFICATION OF ERROR IN PAYMENT OF FEE(S) AS A SMALL ENTITY
(37 CFR §1.28(c))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Notification Under 37 CFR §1.27(g)(2)

Applicant hereby notifies the Patent and Trademark Office that it does not qualify for small entity status, and that its previous claim for small entity status is hereby withdrawn.

Request for Retroactive Correction of Entity Status Under 37 CFR §1.28(c)

A claim for small entity status was previously made in the above-referenced application. Upon review, it has been determined that the assignee, Buffalo, Inc. may not have qualified as a small entity at the time the assertion was made. Accordingly, some fees paid during to the Patent and Trademark Office during the pendency of this application were erroneously paid as a small entity. **The error in claiming small entity status was made in good faith and without deceptive intent.**

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In view of the foregoing, Applicant requests that its status be retroactively changed to reflect large entity status for **all** activities related to the above-referenced application. Applicant also requests that the patent office excuse the inadvertent error in claiming small entity status and accept late payment of the additional fees required for a large entity.


Pursuant to §1.28(c), the itemized listing below separately identifies all fees that the undersigned believes were improperly paid as a small entity, the date such fees were paid and the deficiency that is now owed.

| Type of Fee | Date Paid | Actual Amount Paid | Current Fee Amount | Deficiency Owed Amount |
|--------------------------------------|------------|--------------------|--------------------|------------------------|
| National Stage Basic Filing Fee | 09/20/2005 | 150.00 | 330.00 | 180.00 |
| National Stage Examination Fee | 09/20/2005 | 100.00 | 220.00 | 120.00 |
| National Stage Search Fee | 09/20/2005 | 200.00 | 430.00 | 230.00 |
| Total Deficiency Payment Owed | | | | 530.00 |

Please charge the Deficiency Payment owed, as well as any additional fees that the office may determine are required to retroactively correct the entity status, to Deposit Account No. 504481 (Order No. MES1P093).

If the Office has any questions regarding this request, they are respectfully requested to contact the undersigned at the number set forth below.

Respectfully submitted,
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